

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Meylston Drive, 1200' N
of Broadway Road
(11902 Meylston Drive)
8th Election District
3rd Councilmanic District

Milford M. Foxwell, Jr., et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-339-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 11902 Meylston Drive, located in the vicinity of the Baltimore Country Club in Lutherville. The Petition was filed by the owners of the property, Milford M. Foxwell, Jr., and his wife, Iris Foxwell. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 35 feet in lieu of the required 50 feet for a proposed 15' x 16' building addition and to amend the last approved Final Development Plan for the Maurice L. Shipley property, Section 2, Lot 5 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

ORDER RECEIVED FOR FILING
Date 4/27/95
By [Signature]

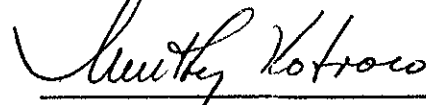
MICROFILMED

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 35 feet in lieu of the required 50 feet for a proposed 15' x 16' building addition and to amend the last approved Final Development Plan for the Maurice L. Shipley property, Section 2, Lot 5 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/27/95
By [Signature]

RECORDED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 27, 1995

Mr. & Mrs. Milford M. Foxwell, Jr.
11902 Meylston Drive
Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Meylston Drive, 1200' N of Broadway Road
(11902 Meylston Drive)
8th Election District - 3rd Councilmanic District
Milford M. Foxwell, Jr., et ux - Petitioners
Case No. 95-339-A

Dear Mr. & Mrs. Foxwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File





Petition for Administrative Variance

95-339-A

to the Zoning Commissioner of Baltimore County

for the property located at 11902 MEYLSTON RD.
which is presently zoned RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 TO PERMIT A LOT LINE SETBACK OF 35 FT IN LIEU OF THE REQUIRED 50 FT. FOR A PROPOSED BUILDING ADDITION and to amend any last approved Final Development plan FOR LOT 5

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

* SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11902 Meylston Dr. 561-2988
Address Phone No.

Lutherville MD. 21093
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink
on Recycled Paper

MICROFILMED 339

ORDER RECEIVED FOR FILING

Date



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11902 Maylston Dr.
address
Lutherville MD. 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SEE ATTACHED

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
(signature)
Mrs. Foxwell
(type or print name)



[Signature]
(signature)
Milford M. Foxwell, Jr.
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Milford M. Foxwell, Jr.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 31, 1995
date

Maura Justice
NOTARY PUBLIC

My Commission Expires: 6/1/97

95-339-A

This addition must be placed in this area because: North side has power lines West side has septic Front of house is impractical (East side) This addition is labeled sun room and requires the south side.

The slope of the property and location of the house has made it difficult to stay within the 50' set back.

RECORDED

ZONING DESCRIPTION

11902 MEYLSTON DR

BEGINNING AT A POINT ON THE NORTH SIDE OF
MEYLSTON ~~DR~~ DR. AT A DISTANCE OF 1200 FT. ±
N. OF BROADWAY RD. BEING LOT 5 IN THE
SUBDIVISION OF THE MAURICE L. SHIPLEY PROP
PLAT BOOK 52 FOLIO 28

8 ED

3 CD

AC = 1.52 ±

95-339-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-339-A

District 8th

Date of Posting 4/7/95

Posted for: Variance

Petitioner: Iris & Milford Foxwell

Location of property: 11902 Mayhew Drive, N/S

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by [Signature]
Signature

Date of return: 4/14/95

Number of Signs: 1

STAMPED





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-339-A

Account: R-001-6150

Number 339

By JLL

Date

3/31/95

1 RES VAR ADMIN(010) 50.00

1 AMEND FDP. (030) 50.00

1 SIGN (080) 35.00

\$ 135.00

MICROFILMED

FOXWELL

11902 MEYLSTON DR.

01A01#0292MICHRD

\$135.00

BA 0012:30PM04-31-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 339

Petitioner: Foxwell

Location: 11902 Maylston Dr.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Iris Foxwell

ADDRESS: 11902 Maylston Dr.
Luthersville MD 21093

PHONE NUMBER: (410) 561-2988

AJ:ggs

(Revised 04/09/93)



Printed on Recycled Paper

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-339-A (Item 339)
11902 Meylston Drive
N/S Meylston Drive, 1200'+/- N of Broadway Road
8th Election District - 3rd Councilmanic
Legal Owner: Iris Foxwell and Milford M. Foxwell, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Iris Foxwell and Milford Foxwell, Jr.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 12, 1995

Mr. and Mrs. Milford M. Foxwell, Jr.
11902 Meylston Drive
Lutherville, Maryland 21093

RE: Item No.: 339
Case No.: 95-339-A
Petitioner: Milford Foxwell, et ux

Dear Mr. and Mrs. Foxwell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 31, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor


WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: April 12, 1995

SUBJECT: 11902 Meylston Road

INFORMATION:

Item Number:

339

Petitioner:

Iris Foxwell & Milford M. Foxwell, Jr.

Property Size:

Zoning:

RC-5

Requested Action:

Administrative Variance & Amendment of FDP

Hearing Date:

/ /

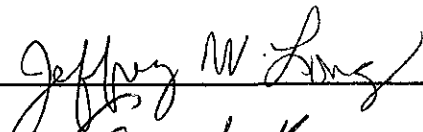
SUMMARY OF RECOMMENDATIONS:

The applicants request 1) a Variance to approve a setback of 35' in lieu of the required 50', and 2) to amend the Final Development Plan of the Maurice Shipley Property.

The director of the Office of Planning is required to make certain findings in approving amendments to Final Development Plans. The director is charged with determining whether the amendments are in accordance with all other provisions of the C.M.D.P., and whether the amendments are within the specific standards and requirements of Article 1B of the Baltimore County Zoning Regulations.

Based upon a review of the information provided, staff finds that the plan is in accordance with the appropriate provisions of the C.M.D.P. and meets the specific standards and requirements of the B.C.Z.R.

Prepared by:



Division Chief:



PK/JL



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 339 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336,
338 AND 339.

RECEIVED

APR 12 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: April 17, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 17, 1995
Items 328, 331, 332, 333, 334, 336, 337, 338
339 and 316 revised

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM *Joyce Watson*

DATE: *4/19/95*

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: *4/10/95*

ZAC Comments

The Department of Environmental Protection & Resource Management has no
comments for the following Zoning Advisory Committee Items:

Item #'s: *Rev # 316*

330

331

333

334

335

336

337

338

339

LS:sp

LETTY2/DEPRM/TXTSBP

**PETITION PROBLEMS
AGENDA OF APRIL 10, 1995**

#329 --- MJK

1. No telephone number for legal owner.

#330 --- MJK

1. No telephone number for legal owner.
2. Need power of attorney for personal representative (see Mitch's memo in file).
3. Petition was changed and initialed by "P.L." - Who is this person?

#334 --- CAM

1. No councilmanic district on folder.
2. No item number on petition forms.
3. No estimated posting date on petition form.

#335 --- CAM

1. No estimated posting date on petition form.
2. Notary section is incomplete.

#336 --- JJS

1. "Charles Way" is one word - "Charlesway".

#337 --- JCM

1. No telephone number for legal owner.
2. Need typed or printed name and title of person signing for contract purchaser.
3. Need authorization for person signing for contract purchaser.
4. Petitioner was not given copy of receipt; receipt left in folder.

#338 --- JCM

1. Petitioner was not given copy of receipt; receipt left in folder.

#339 --- JLL

1. Notary section is incomplete; only one signature was notarized.

APPROVED

Item 339.

I accept responsibility for the accuracy of
the information and descriptions as drawn
by Balto. County.

A. E. L. 3/31/95

MICROFILMED

95-339-A

339

SITE

NW 14D

SHEET N.W. 15-D

W-21,000

R.C. 5

MEYELSTON

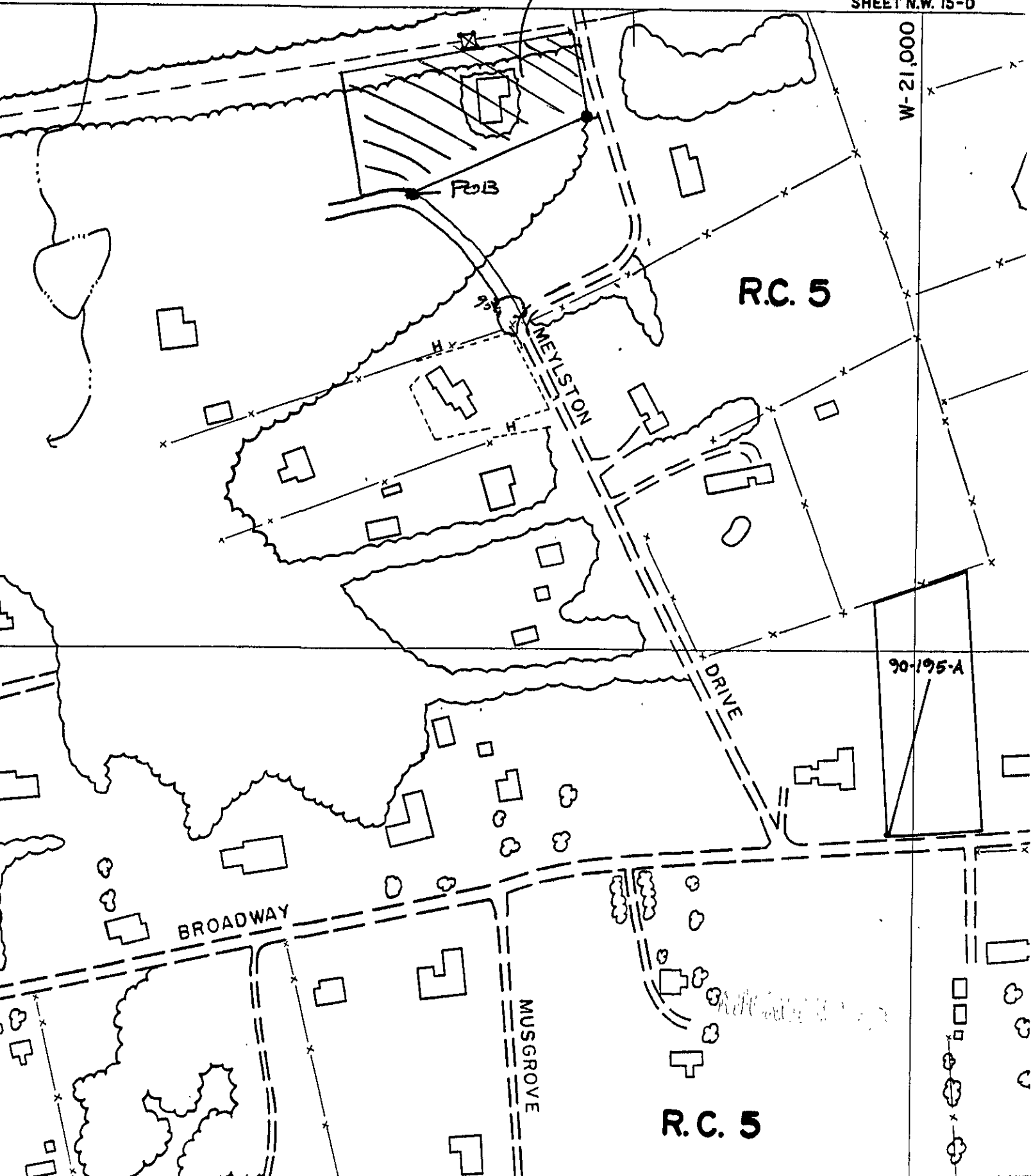
DRIVE

90-195-A

BROADWAY

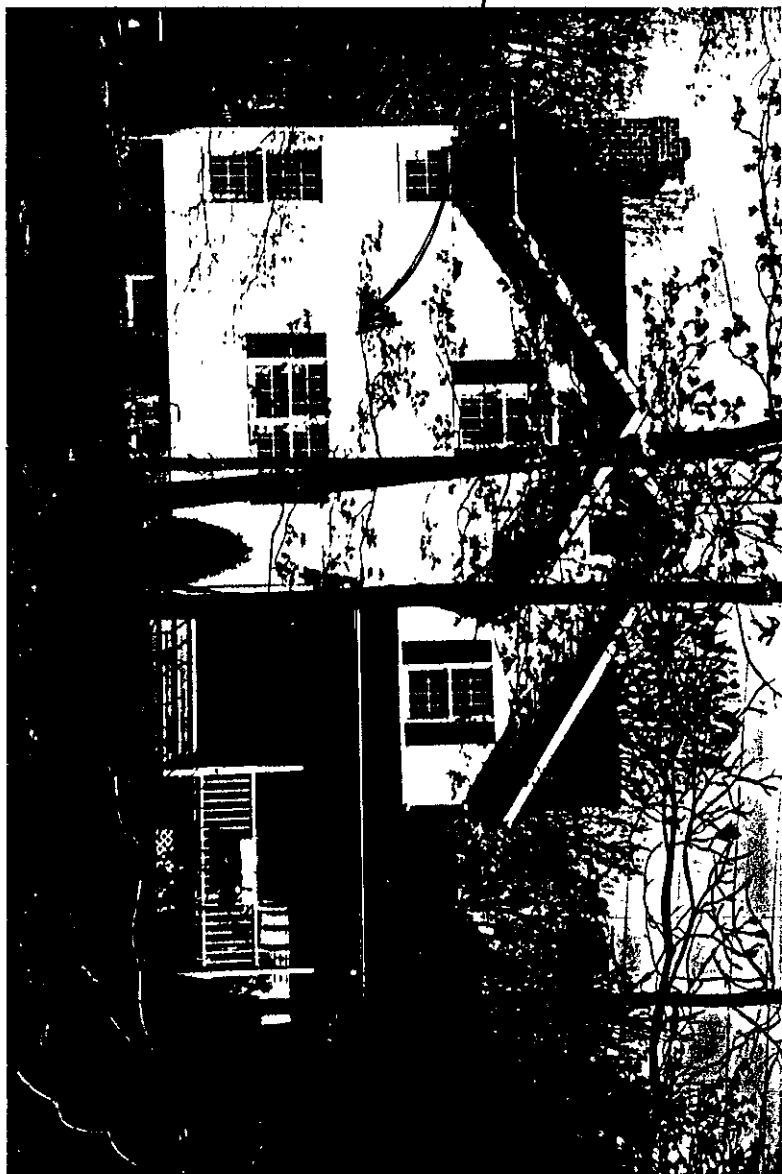
MUSGROVE

R.C. 5



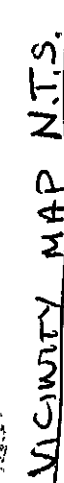
95-339-7

Addition to be
attached here



339

MICROFILMED



NO NEIGHBORING RESIDENCE
WITHIN 100 FT OF THIS
ADDITION

#339

95-339-A

PLAT FOR ZONING VARIANCE AS SHOWN

ON
PLOT PLAN LOT 5 SECTION 2
OF THE MAURKE SHIPLEY PROPERTY

~~PROPERTY OF MAURICE L. SHIPLEY~~

— — — — — EXISTING CONTROLS

PROPOSED CONTOURS

FOXWELL
11902 MEYLSTON DR.

SEPTIC AKEA
11502 MEYERSON DR.
LUTHERVILLE MD.

50' SET BACK AREA
~~20' SET BACK AREA~~
ZIP 21093

... ~~Not used~~ ~~1000-1000-1000~~
7015 DC-E 101 SIZE 1.52 AC+

111-
ALB 120327-110328
ZONE RC-5 LOT SIZE 1.52 AC±

SITUATED ON THE NORTH SIDE OF MEYLISTON DRIVE,
ROAD'S NORTH OF BROADWAY DRIVE

900' ± NORTH OF BROADWAY ROAD

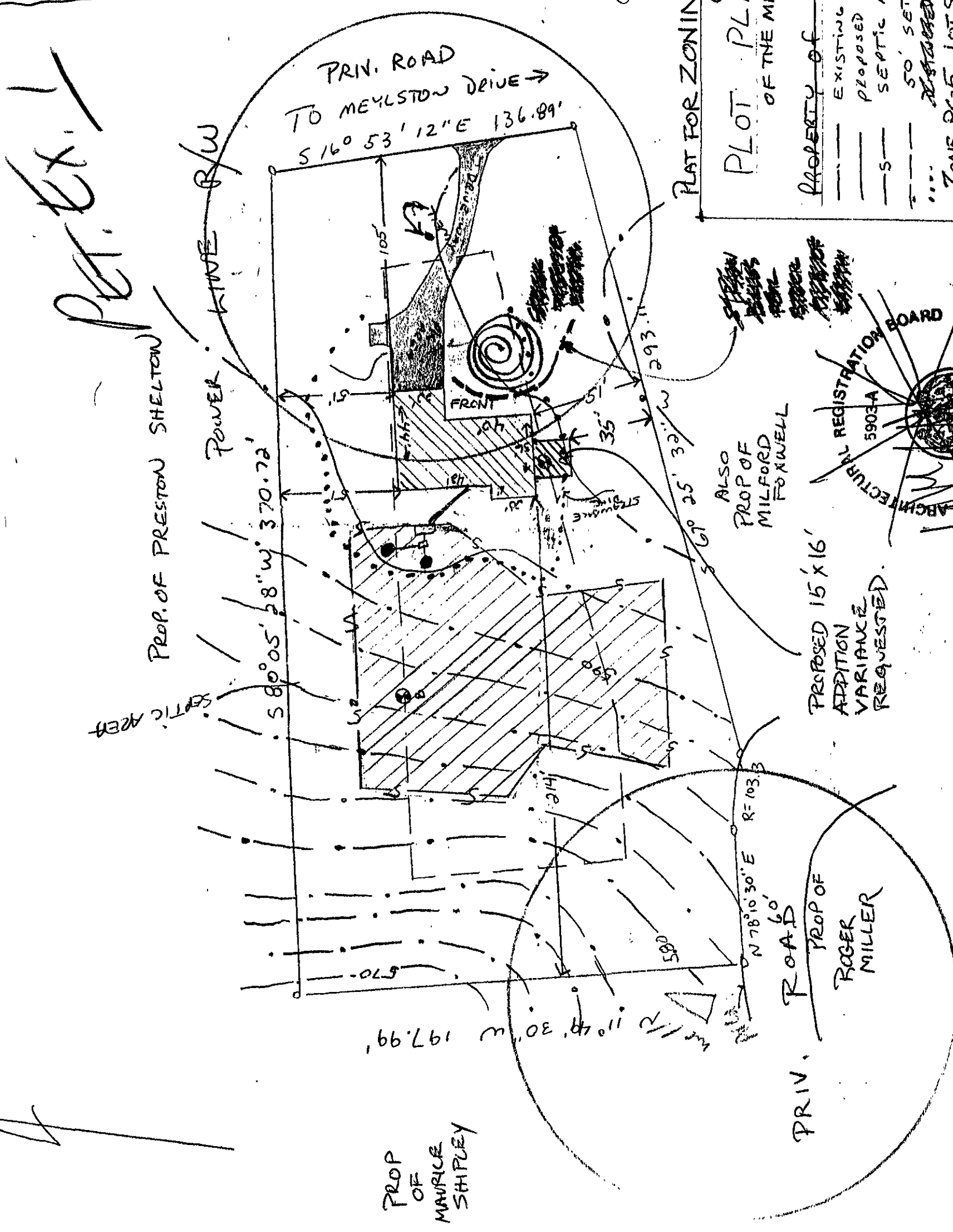
DISTRICT OF BALTIMORE COUNTY MARYLAND
IN SENATE
JANUARY 1906

1" = 50'

EH-232 49 Focus 15'

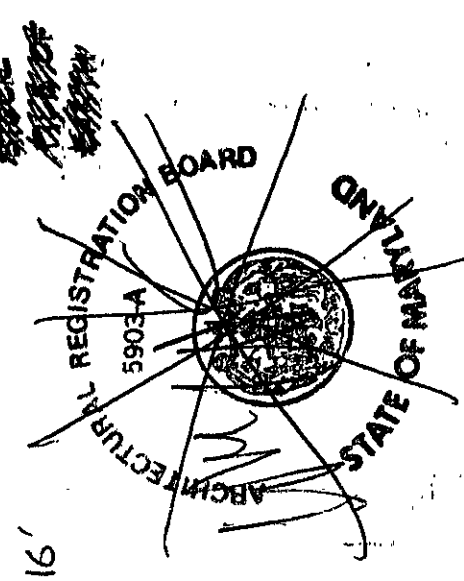
10
 11
 12
 13

ZOVING MAP NW 14-D.



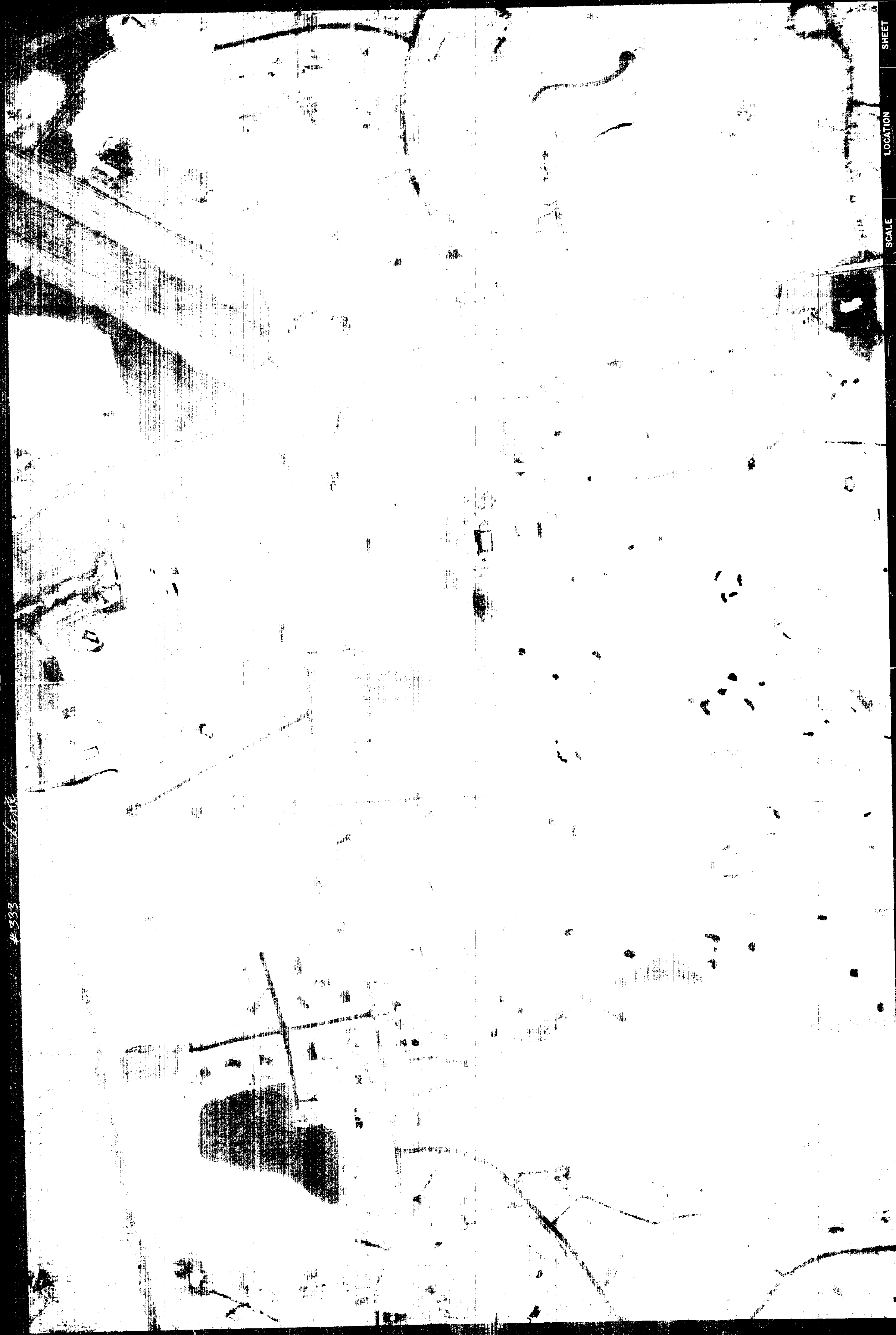
91
ALSO
PROP OF
MILFORD
FOXWELL

PROPOSED 15' x 16'
ADDITION
VARIANCE
REQUESTED.



~~CONFESSION TO MURDER IN
EVIDENT CIRCUMSTANCES
DUE TO OBSCURITY AND
AND SIGHT TO RUN INTO OTHER
PROPERTY.~~

#338



MICROFILMED

SHEET

MICROFILMED
14-D

LOCATION

BALTIMORE
COUNTRY CLUB

SCALE

1" = 200'

DATE

OF
PHOTOGRAPHY

JANUARY
1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIE PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

95-339-A

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Meylston Drive, 1200' N
of Broadway Road
(11902 Meylston Drive)
8th Election District
3rd Councilmanic District
Milford M. Foxwell, Jr., et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-339-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 11902 Meylston Drive, located in the vicinity of the Baltimore Country Club in Lutherville. The Petition was filed by the owners of the property, Milford M. Foxwell, Jr., and his wife, Iris Foxwell. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 35 feet in lieu of the required 50 feet for a proposed 15' x 16' building addition and to amend the last approved Final Development Plan for the Maurice L. Shipley property, Section 2, Lot 5 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 35 feet in lieu of the required 50 feet for a proposed 15' x 16' building addition and to amend the last approved Final Development Plan for the Maurice L. Shipley property, Section 2, Lot 5 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

April 27, 1995

(410) 887-4386

Mr. & Mrs. Milford M. Foxwell, Jr.
11902 Meylston Drive
Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Meylston Drive, 1200' N of Broadway Road
(11902 Meylston Drive)
8th Election District - 3rd Councilmanic District
Milford M. Foxwell, Jr., et ux - Petitioners
Case No. 95-339-A

Dear Mr. & Mrs. Foxwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Printed with Soybean Ink
on Recycled Paper

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 11902 Meylston Dr
Lutherville MD 21093
Ch Side No Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

See Attached

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Iris Foxwell
Iris Foxwell
By (in print name)
Milford M. Foxwell, Jr.
Milford M. Foxwell, Jr.
By (in print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of April, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Milford M. Foxwell, Jr.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Mark A. Jones
Mark A. Jones
Notary Public

My Commission Expires: 6-1-97

*This addition must be placed in this area because: North side has power lines
West side has septic
Front of house is impractical (East side)
This addition is labeled sun room and requires the south side.*

The slope of the property and location of the house has made it difficult to stay within the 50' set back.

Zoning Description

11902 MEYLSTON DR
BEGINNING AT A POINT ON THE NORTH SIDE OF
MEYLSTON DR. AT A DISTANCE OF 1800 FT. +
N. OF BROADWAY RD. BEING LOT 5 IN THE
SUBDIVISION OF THE MAURICE L. SHIPLEY PROP.
PLAT BOOK 52 FOLIO 28
B.E.D.
B.C.D.
A.C. = 1.52 ±

95-339-A

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11902 MEYLSTON DR.
which is presently zoned Re5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 TO PERMIT A LOT LINE SETBACK OF 35 FT IN LIEU OF THE REQUIRED 50 FT FOR A PROPOSED BUILDING ADDITION and to amend any last approved Final Development Plan for Lot 5 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

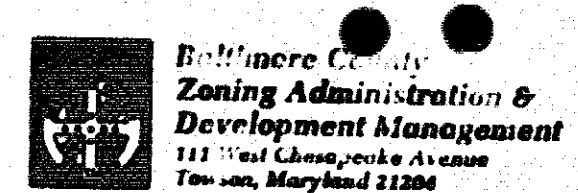
Complete and return to:
Office of Zoning Administration & Development Management
111 West Lexington Avenue
Towson, Maryland 21204
Phone: (410) 887-4386
FAX: (410) 887-4387
Name: Milford M. Foxwell, Jr.
Address: 11902 Meylston Dr
City: Lutherville State: MD Zip: 21093
Signature: *Milford M. Foxwell, Jr.*
Date: 4/27/95

A Public Hearing having been requested and/or held to be required, it is ordered, by the Zoning Commission of Baltimore County, that the undersigned legal owner(s) of the property situated in Baltimore County, and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 TO PERMIT A LOT LINE SETBACK OF 35 FT IN LIEU OF THE REQUIRED 50 FT FOR A PROPOSED BUILDING ADDITION and to amend any last approved Final Development Plan for Lot 5 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

REVIEWED BY: _____ DATE: _____
ESTIMATED POSTING DATE: _____
Printed with Soybean Ink on Recycled Paper
ITEM #: 339

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: Re5 Date of Posting: 4/1/95
Posted for: Variance
Petitioner: Iris & Milford Foxwell
Location of property: 11902 Meylston Dr.
Location of Signs: Front of property on property being posted
Remarks: _____
Posted by: Milford M. Foxwell, Jr. Date of return: 4/14/95
Number of Signs: 1



Date: 3/31/95
1 RES VAR ADMIN(10) 50.00
1 AMEND FDR (30) 50.00
1 SIGN (060) 35.00
\$ 135.00
FOXWELL
11902 MEYLSTON DR.

receipt
95-339-A
Account: R-001-4199
Number: 339
By: JCL
01A010292H1CNC
012130PH03-31-95
\$135.00
Please Make Checks Payable To: Baltimore County



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 339
Petitioner: Foxwell
Location: 11902 Meylston Dr.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Iris Foxwell
ADDRESS: 11902 Meylston Dr.
Lutherville MD 21093
PHONE NUMBER: (410) 561-2988

AJ:ggg

(Revised 04/09/93)

13



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-339-A (Item 339)
11902 Meylston Drive
N/S Meylston Drive, 1200' +/- N of Broadway Road
8th Election District - 3rd Councilmanic
Legal Owner: Iris Foxwell and Milford M. Foxwell, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refrain regarding the administrative process.

1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Iris Foxwell and Milford Foxwell, Jr.



Printed with Soybean Ink
on Recycled Paper



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 12, 1995

Mr. and Mrs. Milford M. Foxwell, Jr.
11902 Meylston Drive
Lutherville, Maryland 21093

RE: Item No.: 339
Case No.: 95-339-A
Petitioner: Milford Foxwell, et ux

Dear Mr. and Mrs. Foxwell:

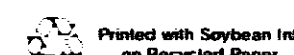
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 31, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Printed with Soybean Ink
on Recycled Paper

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 12, 1995

SUBJECT: 11902 Meylston Road

INFORMATION:

Item Number: 339

Petitioner: Iris Foxwell & Milford M. Foxwell, Jr.

Property Size: _____

Zoning: RC-5

Requested Action: Administrative Variance & Amendment of FDP

Hearing Date: 1 / 1

SUMMARY OF RECOMMENDATIONS:

The applicants request 1) a Variance to approve a setback of 35' in lieu of the required 50', and 2) to amend the Final Development Plan of the Maurice Shipley Property.

The director of the Office of Planning is required to make certain findings in approving amendments to Final Development Plans. The director is charged with determining whether the amendments are in accordance with all other provisions of the C.M.D.P., and whether the amendments are within the specific standards and requirements of Article 1B of the Baltimore County Zoning Regulations.

Based upon a review of the information provided, staff finds that the plan is in accordance with the appropriate provisions of the C.M.D.P. and meets the specific standards and requirements of the B.C.Z.R.

Prepared by: *Jeffrey M. King*

Division Chief: *Wayne Lewis*

PK/JL

ITEM339/PZONE/ZAC1



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 339 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

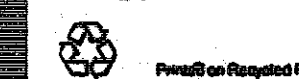
B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336, 338 AND 339.

RECEIVED
APR 12 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: April 17, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 17, 1995
Items 328, 331, 332, 333, 334, 336, 337, 338
339 and 316 revised

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:aw

INTER-OFFICE CORRESPONDENCE

TO: ZADM Joyce Watson DATE: 4/19/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/19/95
ZAC Comments

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: Rem # 316

330

331

333

334

335

336

337

338

339

LS:sp

LETTY2/DEPRM/TXTSBP

PETITION PROBLEMS
AGENDA OF APRIL 10, 1995

#329 --- MJK

1. No telephone number for legal owner.

#330 --- MJK

1. No telephone number for legal owner.
2. Need power of attorney for personal representative (see Mitch's memo in file)
3. Petition was changed and initialed by P.L. - Who is this person?

#334 --- CAM

1. No councilmanic district on folder
2. No item number on petition forms
3. No estimated posting date on petition form

#335 --- CAM

1. No estimated posting date on petition form
2. Notary section is incomplete

#336 --- JJS

1. "Charles Way" is one word - "Charlesway"

#337 --- JCM

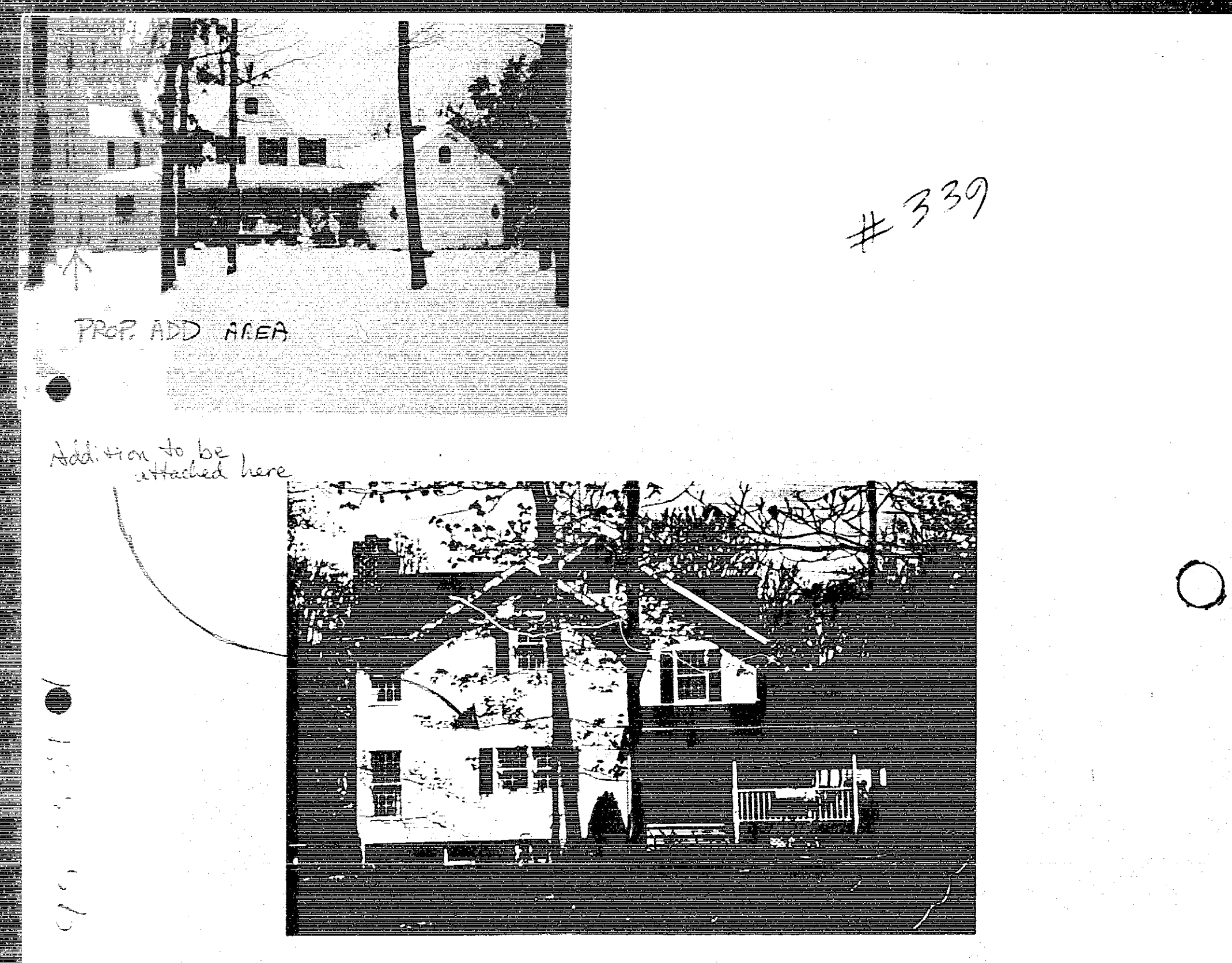
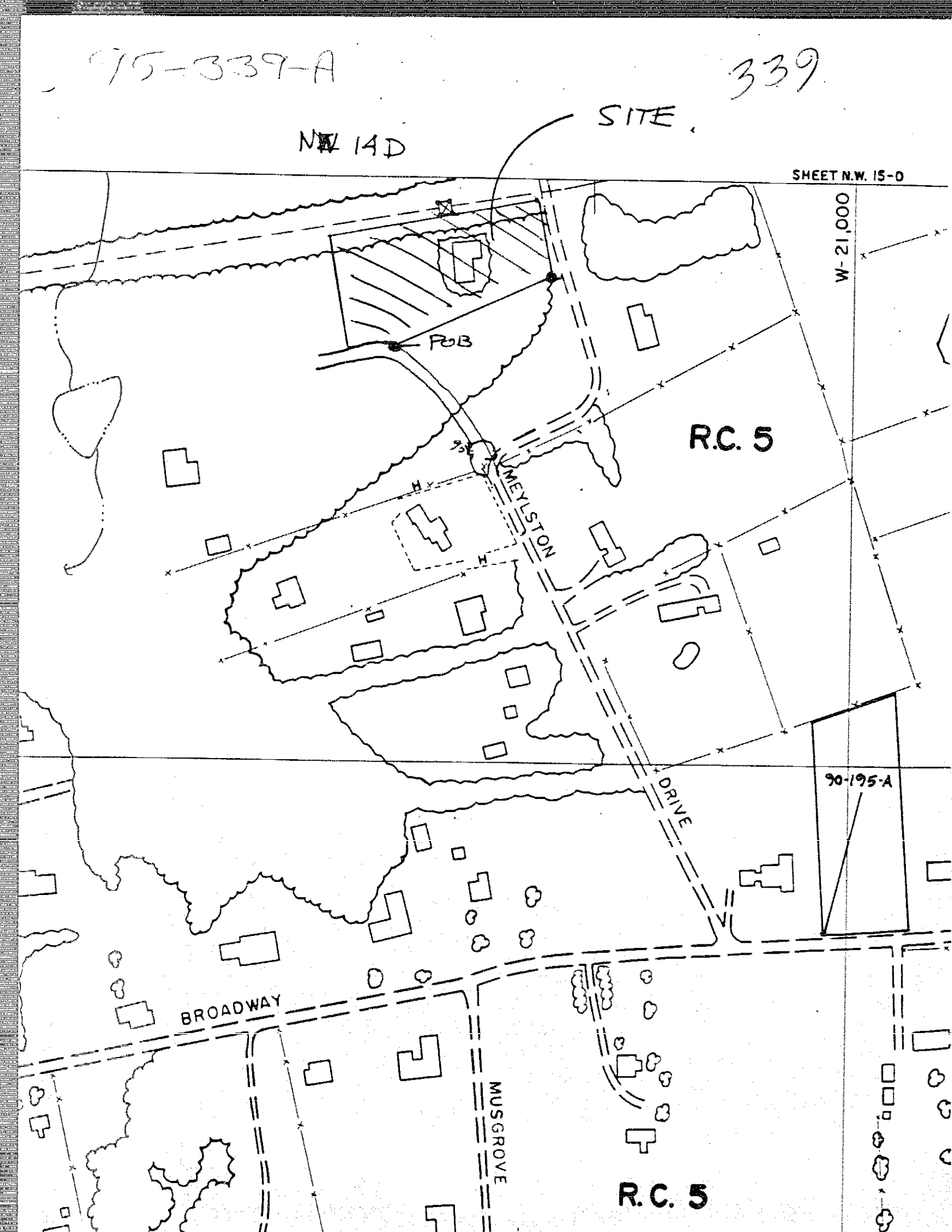
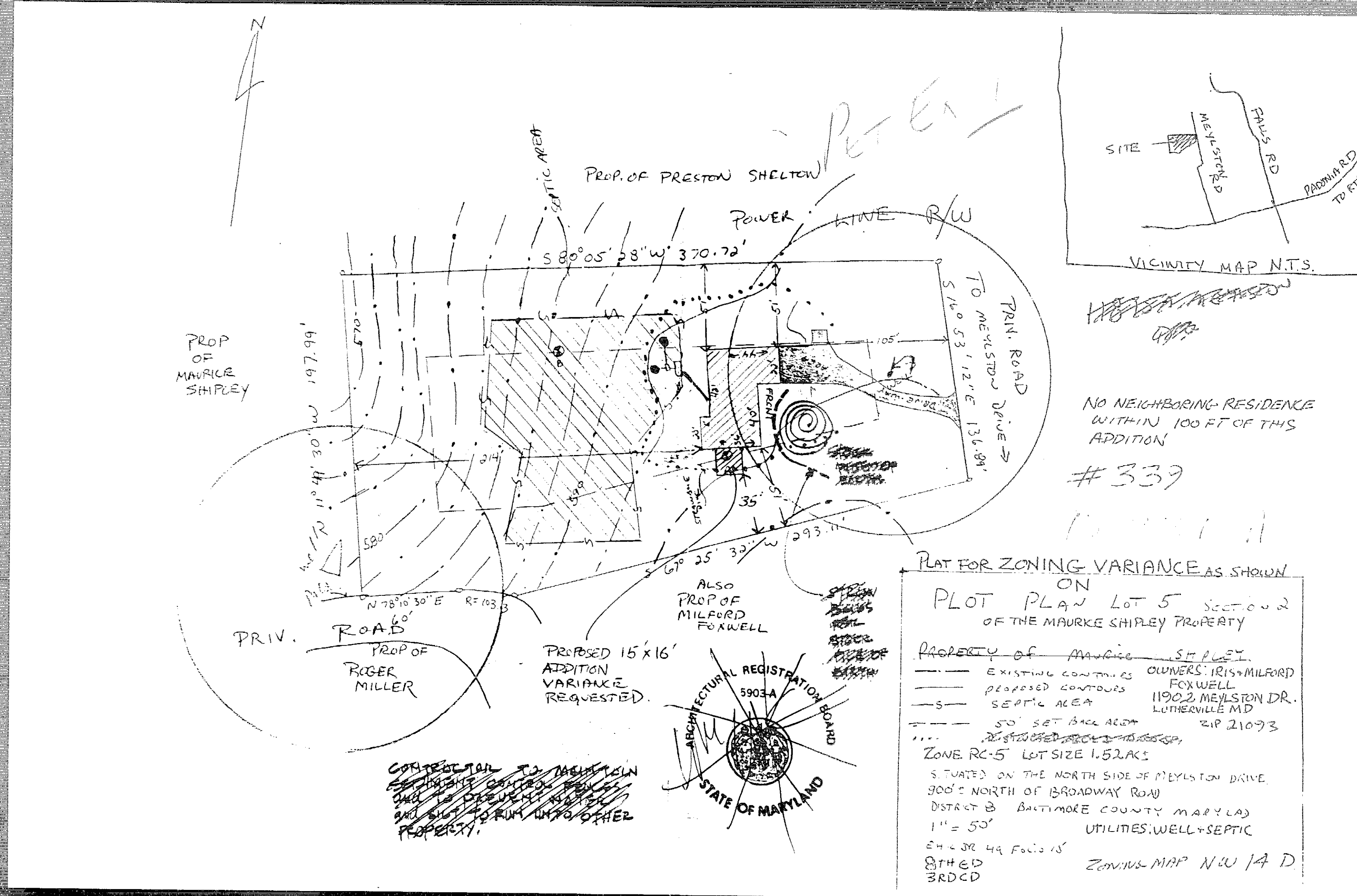
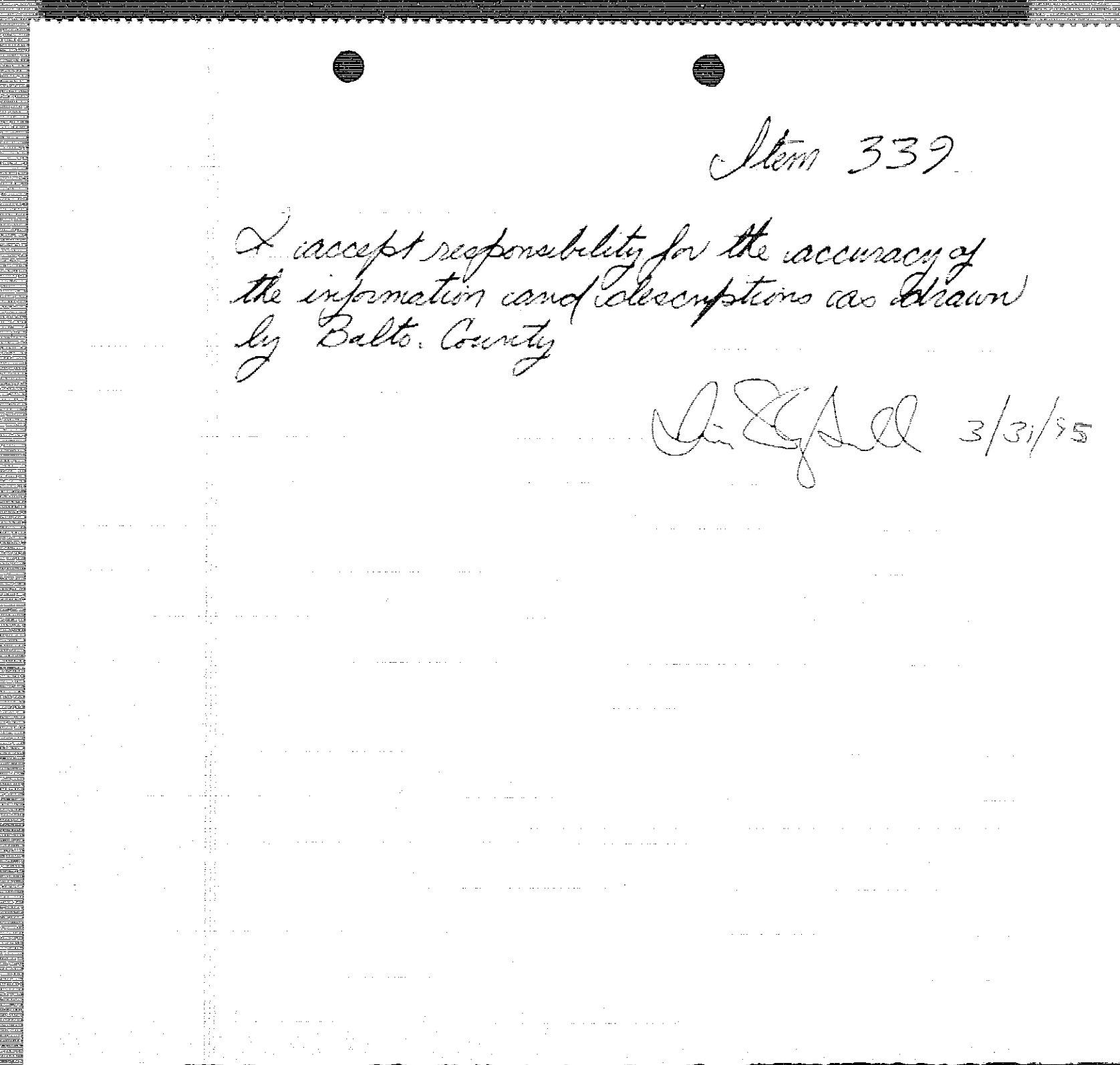
1. No telephone number for legal owner
2. Need typed or printed name and title of person signing for contract purchaser
3. Need authorization for person signing for contract purchaser
4. Petitioner was not given copy of receipt, receipt left in folder

#338 --- JCM

1. Petitioner was not given copy of receipt, receipt left in folder

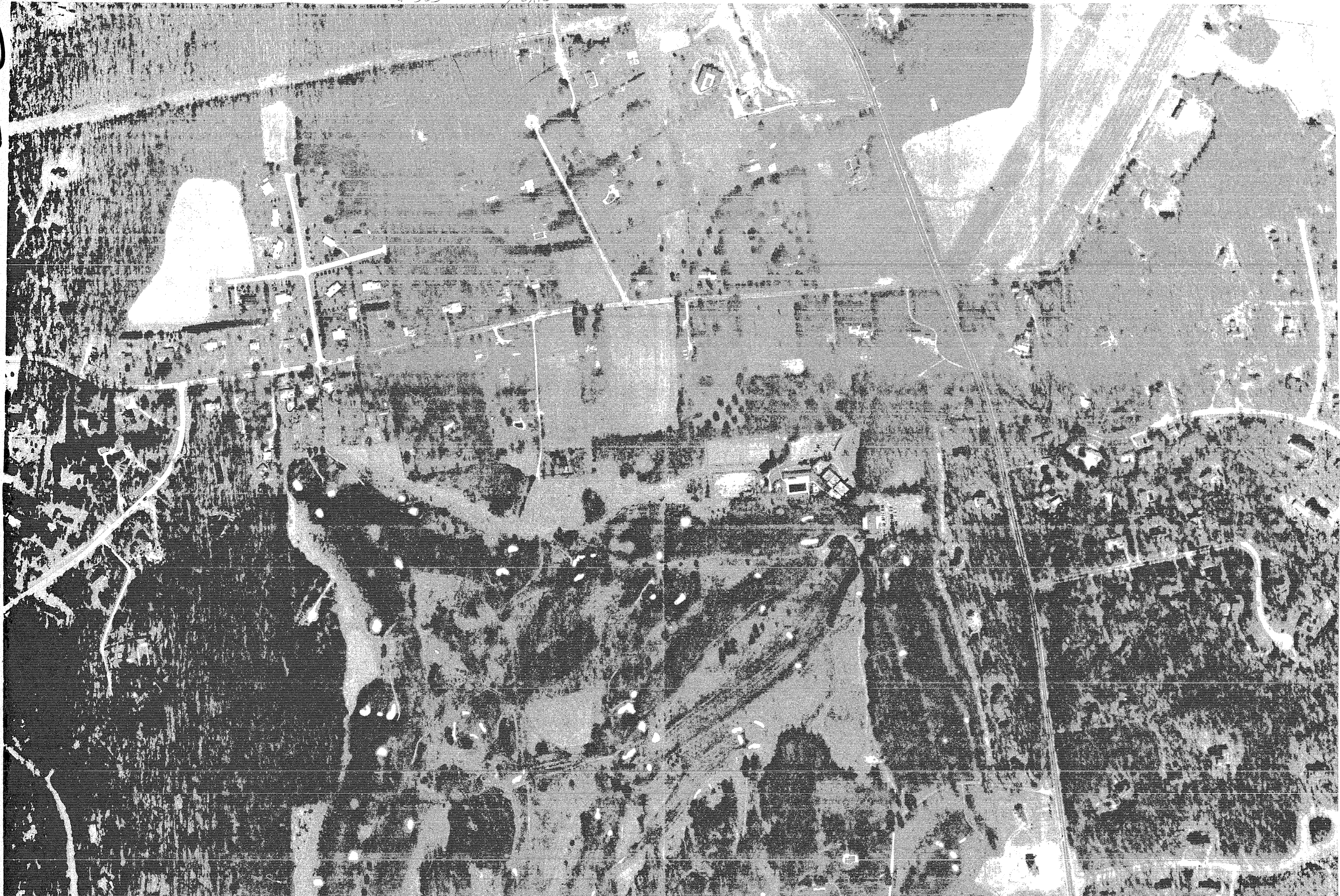
#339 --- JLL

1. Notary section is incomplete, only one signature was notarized



95-339-A

#333 / GHE



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION BALTIMORE COUNTRY CLUB	SHEET N.W. 14-D
DATE OF PHOTOGRAPHY JANUARY 1986		

MICROFILMED